

does not include a vessel that navigates exclusively on inland waters;

(4) *Rest* means a period of time during which the person concerned is off duty, is not performing work (which includes administrative tasks such as chart corrections or preparation of port-entry documents), and is allowed to sleep without being interrupted; and

(5) *Overriding operational conditions* means circumstances in which essential shipboard work cannot be delayed for safety or environmental reasons, or could not reasonably have been anticipated at the commencement of the voyage.

(b) Except as otherwise provided in § 15.1103(d), the regulations in this subpart apply to seagoing vessels subject to STCW.

(c) A vessel that has on board a valid Safety Management Certificate and a copy of a Document of Compliance issued for that vessel in accordance with 46 U.S.C. 3205 is presumed in compliance with the regulations in this subpart.

§ 15.1103 Employment and service within restrictions of a license, document, and STCW endorsement or of a certificate of training.

(a) On board a seagoing vessel operating beyond the Boundary Line, no person may employ or engage any person to serve, and no person may serve, in a position requiring a person to hold an STCW endorsement, including master, chief mate, chief engineer, second engineer, officer of the navigational or engineering watch, or radio operator, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 10 or 12 of this chapter.

(b) On board a seagoing vessel of 500 GT or more as determined under the International Tonnage Convention, no person may employ or engage any person to serve, and no person may serve, as a rating forming part of the navigational watch, except for training, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(c) After January 31, 2002, on board a seagoing vessel driven by main propulsion machinery of 750 kW [1,000 hp] pro-

pulsion power or more, no person may employ or engage any person to serve, and no person may serve, in a rating forming part of a watch in a manned engine-room, nor may any person be designated to perform duties in a periodically unmanned engine-room, except for training or for the performance of duties of an unskilled nature, unless the person serving holds an appropriate, valid STCW certificate or endorsement issued in accordance with part 12 of this chapter.

(d) You must hold documentary evidence to show you meet the requirements of § 10.1005 (if licensed) or § 12.30–5 (if unlicensed) of this chapter if you are a master or crewmember on board a Ro-Ro passenger ship to which a certificate signifying compliance with the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), has been issued.

(e) You must hold documentary evidence to show you meet the requirements of § 10.1105 (if licensed) or § 12.35–5 (if unlicensed) of this chapter if you are a master or crewmember on board a vessel that is—

- (1) Subject to the STCW;
- (2) Not a Ro-Ro passenger ship; and
- (3) Carrying more than 12 passengers when on an international voyage.

(f) After January 31, 2002, on board a seagoing vessel required to comply with provisions of the Global Maritime Distress and Safety System (GMDSS) in Chapter IV of SOLAS, no person may employ or engage any person to serve, and no person may serve, as the master, chief mate, or officer of the navigational watch, unless the person serving holds the appropriate certificate for operator of radio in GMDSS.

(g) On board a seagoing vessel required to comply with provisions of the GMDSS in Chapter IV of SOLAS, no person may employ or engage any person to serve, and no person may serve, as the person designated to maintain GMDSS equipment at sea, when the service of a person so designated is used to meet the maintenance requirements of SOLAS Regulation IV/15, which allows for capability of at-sea electronic maintenance to ensure that radio equipment is available for radio communication, unless the person so serving holds documentary evidence

that he or she is competent to maintain GMDSS equipment at sea.

(h) After January 31, 2002, on board a seagoing vessel fitted with an Automatic Radar Plotting Aid (ARPA), no person may employ or engage any person to serve, and no person may serve, as the master, chief mate, or officer of the navigational watch, unless the person so serving has been trained in the use of ARPA in accordance with § 10.205 or § 10.209 of this chapter, whichever is appropriate.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-1999-5610, 67 FR 55069, Oct. 30, 2002; USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§ 15.1105 Familiarization and basic safety-training.

(a) After January 31, 1997, on board a seagoing vessel, no person may assign any person to perform shipboard duties, and no person may perform those duties, unless the person performing them has received—

(1) Training in personal survival techniques as set out in the standard of competence under STCW Regulation VI/1; or

(2) Sufficient familiarization training or instruction that he or she—

(i) Can communicate with other persons on board about elementary safety matters and understand informational symbols, signs, and alarm signals concerning safety;

(ii) Knows what to do if a person falls overboard; if fire or smoke is detected; or if the firm alarm or abandon-ship alarm sounds;

(iii) Can identify stations for muster and embarkation, and emergency-escape routes;

(iv) Can locate and don life-jackets;

(v) Can raise the alarm and knows the use of portable fire extinguishers;

(vi) Can take immediate action upon encountering an accident or other medical emergency before seeking further medical assistance on board; and

(vii) Can close and open the fire doors, weather-tight doors, and watertight doors fitted in the vessel other than those for hull openings.

(b) After January 31, 1997, on board a seagoing vessel, no person may assign a shipboard duty or responsibility to any person who is serving in a position that

must be filled as part of the required crew complement, and no person may perform any such duty or responsibility, unless he or she is familiar with it and with all vessel's arrangements, installations, equipment, procedures, and characteristics relevant to his or her routine or emergency duties or responsibilities, in accordance with STCW Regulation I/14.

(c) After January 31, 1997, on board a seagoing vessel, no person may assign a shipboard duty or responsibility to any person who is serving in a position that must be filled as part of the required crew complement or who is assigned a responsibility on the muster list, and no person may perform any such duty or responsibility, unless the person performing it can produce evidence of having—

(1) Received appropriate approved basic safety training or instruction as set out in the standards of competence under STCW Regulation VI/1, with respect to personal survival techniques, fire prevention and fire-fighting, elementary first aid, and personal safety and social responsibilities; and

(2) Achieved or, if training has been completed, maintained competence within the last 5 years, in accordance with STCW regulation VI/1.

(d) Fish-processing vessels in compliance with the provisions of 46 CFR part 28 on instructions, drills, and safety orientation are deemed to be in compliance with the requirements of this section on familiarization and basic safety-training.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-2004-18884, 69 FR 58344, Sept. 30, 2004]

§ 15.1107 Maintenance of merchant mariners' records by owner or operator.

Each owner or operator of a U.S.-documented seagoing vessel shall ensure that procedures are in place, in respect of each merchant mariner holding a license or merchant mariner's document and serving on any such vessel, to ensure that the following information is maintained throughout his or her service, and is readily accessible to those in management responsible for the safety of the vessel and for the prevention of marine pollution: